



Dkt. 53437-A-PCT-US/JPW/MAF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants : Philip O. Livingston, et al.

U.S. Serial No.: 09/534,711

Examiner: C. Yaen

Filed : March 24, 2000

Group Art Unit: 1642

For : FUCOSYL GM1-KLH CONJUGATE VACCINE AGAINST SMALL
CELL LUNG CANCER

1185 Avenue of the Americas
New York, New York 10036
October 21, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Box AF

Sir:

PETITION FOR A THREE-MONTH EXTENSION OF TIME

Applicants hereby request a three-month extension of time for filing a further response to the April 22, 2002 Final Office Action issued in connection with the above-identified application. An Amendment in response to the April 22, 2002 Final Office Action was filed July 16, 2002. Applicants' attorney was verbally informed by the Examiner now in charge of this application, however, during a telephone discussion on October 18, 2002 that the Examiner intends to maintain the present rejection of the claims. Applicants therefore hereby request a three-month extension of time for filing a Notice of Appeal in response to the final rejection. The required fee for a three-month extension of time is FOUR HUNDRED AND SIXTY DOLLARS (\$460.00) for a small entity. Applicants have previously established small entity status and such status is still applicable. Applicants enclose a check in the sum of FOUR HUNDRED AND SIXTY DOLLARS (\$460.00) to cover this fee. Accordingly, a

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response to the July 22, 2002 Final Office Action is now due October 22, 2002. Applicants are concurrently filing a Notice of Appeal under separate cover herewith in response to the Final Office Action.

REMARKS

With the filing of this Petition, the subject application is still pending and Applicants are concurrently filing a Notice of Appeal. Accordingly, the Notice of Appeal is being timely filed.

No fee, other than the FOUR HUNDRED AND SIXTY DOLLAR (\$460.00) fee for a three-month extension of time is deemed necessary in connection with the filing of this Petition. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Mark A. Farley

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Mark A. Farley 10/21/02
Date
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